

HOUSING AND TOWN PLANNING: A SURVEY*

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WE have all learned from bitter experience that when we commence a survey which we hope will occupy but a limited length of time, very frequently we are unable to finish within that time, so I want to say right now that in the event that I might not be able to complete my survey, the principal point I wish to establish is the need for amended town planning legislation in Ontario, and incidentally I hope to make notes of the surveyors' opportunities and duties in connection with housing and town planning.

Elements of Town Planning

It has been stated that town planning as an art has been practised for many centuries, but that as a science it is in its infancy. One of the earliest evidences of town planning being treated as a science, it seems to me, was the passing of legislation to make town planning really effective, thus involving the public control of land development. In most countries land may be taken for public use, or it may be controlled without taking in the interest of public health, safety and general welfare. An example of these two points has been cited and may be found in the case of a city which wishes to control the collection and disposal of garbage. The city may expropriate private land as an incinerator site. It may, without any public expense, issue regulations for the manner in which the private owner is to provide receptacles for garbage, and the points at which these receptacles are to be placed for collection by the city. To extend these principles to all matters that affect the general welfare is the object of town planning.

It may be said in brief that town planning should deal with health, sanitation, and economy in development of land and in amenity and convenience therewith. Any owner may develop private property as he pleases, but only if such development is consistent with the general welfare. On account of this restriction it assures, however, to every owner or user of land suitable access to streets, desirable sanitary conditions, plenty of light and air, and for example, in a residential area a house may be built with assurance that no factor or other undesirable building will be erected in that area.

Early Legislation

Among the early town planning legislation enacted was that in Italy in 1865—the Italian Municipal Town Planning Act, which has since been amended and extended. This Act was largely a development and extension of the law for the public expropriation of land. Since that date, in nearly every European country, town planning acts have been enacted. As a great advance on her previous legislation, in 1919 France made town planning compulsory. Communes along the Seine, cities of 10,000 inhabitants, or growing cities of 5,000 inhabitants must within three years have planning schemes formulated and in force.

In India, Bombay has a Town Planning Act, while the Madras Town Planning Bill was introduced in 1918. Ceylon had a Housing and Town Planning Improvement Ordinance as early as 1915.

South Africa, Australia and New Zealand have recently prepared town planning bills, and even in Japan, the Town Planning Committee of the Imperial Japanese government is at work.

In the United States, city planning acts have existed or are being enacted in several of the States, and there are now hundreds of cities and towns that have their City Planning Commissions for planning and developing schemes of various kinds. Zoning, an important part of town planning, on which I hope to dwell in greater detail later this evening, has attracted the attention of a number of

cities, some of which have already zoning ordinances in force. Briefly, zoning deals with the character of buildings and the dividing of a city into areas, in which the use, height and density of buildings are specified. The British Housing and Town Planning Act of 1909 resulted from previous public health and housing legislation. It dealt only with new or partly developed areas and was not a compulsory act. As amended in 1919, cities and other areas of 20,000 population by 1923 must have prepared and submitted town planning schemes, and these schemes may apply to any land, not only to new development.

In Canada, the first provincial town planning acts (for in Canada town planning legislation is a matter for the provinces and not the Dominion) were founded on the British Housing and Town Planning Act of 1909. According to the New Brunswick Act of 1912 and the Alberta Act of 1913, only undeveloped or partly developed areas can be dealt with by town planning schemes. The Nova Scotia Act of 1912 was amended in 1915, and at that time was heralded as the most advanced town planning legislation in the world—it was a compulsory Act. By recent amendment on account of war conditions, the time has been extended, and now by 1921 every city, town or municipality shall have either prepared a town planning scheme or a set of town planning by-laws. The Act, like most of the recent provincial town planning Acts in Canada, applies to any area. For example, in the city of Halifax, under their town planning scheme it was possible to prescribe a building line on an important street in the centre of the city, so that future widening might be carried out without undue expense. A large new building has been erected which had it been built up to the street line, would probably have blocked the widening of the street for years.

Modern Acts

Prince Edward Island, Manitoba and Saskatchewan have modern acts adapted to the needs of the respective provinces, that of Saskatchewan being the only compulsory Act. Under the Saskatchewan Act, regulations regarding new streets and subdivisions have been prepared by the provincial government for those cases in which municipalities have not already made their own regulations as authorized by the act or for new development in an organized territory. It may be of interest to surveyors to note what information has to be shown on the development plan according to these regulations:—

"The plan accompanying the application shall be drawn to a scale of not less than 200 ft. to one inch, the north point being plainly indicated thereon. It shall contain in its title the word "development" and shall:—

"(a) Describe the location of the area affected and show the location of the boundaries of the quarter sections or registered parcels containing the land to be subdivided;

"(b) Show the location and dimensions of all streets, lanes, roadways, blocks, public reservations and other proposed subdivisions;

"(c) Show the location and dimensions of the streets of adjoining registered subdivisions;

"(d) Show the names of the streets and the number of the blocks, and indicate thereon the number and widths of the lots within each block;

"(e) Show any railway right-of-way, irrigation canal, drain, ditch or easement affecting the land included within the plan;

"(f) Show drainage channels and creek beds, the contours of the normal water level and the high-water level of all bodies of water, any buildings erected on the property and the approximate outlines of copses or other wooded areas;

"(g) Show contour lines in light brown ink of every difference of five feet in elevation of the land to be subdivided, referred to mean sea level, where possible;

"(h) Show the area it is proposed to register out-

lines;

"(i) Bear the signature of the party or parties for

*Lecture delivered at the last annual meeting of the Association of Ontario Land Surveyors.